

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

FIRST AND FINAL FEE APPLICATION COVER SHEET
D.N.J. LBR 2016-1

IN RE: Amy L. Fang, Debtor APPLICANT: Perkins Coie LLP
CASE NO.: 12-26863-MBK CLIENT: John M. McDonnell,
Trustee
CHAPTER: 7 CASE FILED: July 2, 2012

COMPLETION AND SIGNING OF THIS FORM CONSTITUTES A CERTIFICATION UNDER
PENALTY OF PERJURY, PURSUANT TO 28 U.S.C. SECTION 1746.

SECTION 1
FEE SUMMARY

	<u>FEES</u>	<u>EXPENSES</u>
TOTAL PREVIOUS FEE REQUESTED:	\$ 0.00	\$ 0.00
TOTAL FEES ALLOWED TO DATE:	\$ 0.00	\$ 0.00
TOTAL RETAINER (IF APPLICABLE)	\$ 0.00	\$ 0.00
TOTAL HOLDBACK (IF APPLICABLE)	\$ 0.00	\$ 0.00
TOTAL RECEIVED BY APPLICANT	\$ 0.00	\$ 0.00

NAME OF PROFESSIONAL & TITLE	YEAR ADMITTED	HOURS	RATE ¹	Fee
1. Jeffrey Vanacore, Counsel	2003	62.10		\$35,634.50
2. Schuyler G. Carroll, Partner	1993	6.00		\$4,950.00
3. Haider, Shan A.	2007	81.41		\$34,417.95
4. Collins, Allan G., Paralegal	N/A	8.90		\$1,204.50
5. Mary Lou Maag, Paralegal	N/A	12.40		\$2,704.00
6. Borowitz, Rebecca J., Paralegal	N/A	5.40		\$1,350.00
7. Various professionals ²		4.0		\$1,622.00
TOTAL FEES REQUESTED		180.21		\$81,882.95

¹Timekeeper rates may reflect annual adjustments over the application period.

²For timekeepers billing fewer than five hours, total hours, fees and prorated rate are shown.

FEE TOTALS - PAGE 1	\$81,882.95
DISBURSEMENTS TOTALS - PAGE 2	\$1,883.43
TOTAL FEE APPLICATION	\$83,766.38

**SECTION II
SUMMARY OF SERVICES**

SERVICES RENDERED		HOURS	FEES
a)	Preparation and filing of the application to retain Perkins Coie, including conflict checks.	1.50	\$510.00
b)	Representing the Trustee as special litigation counsel as further described in the Application.	169.61	\$78,495.95
c)	Preparing and filing Perkins Coie's first and final fee application.	9.10	\$2,877.00
TOTAL FEES REQUESTED		180.21	\$81,882.95

**SECTION III
SUMMARY OF DISBURSEMENTS**

DISBURSEMENTS		AMOUNT
a)	Filing Fee	\$150.00
b)	Service of Subpoena	\$150.00
c)	Pro Hac Vice Fee	\$199.00
d)	Professional Services	\$650.00
e)	Photocopying	\$6.90
f)	Air Express Charges	\$47.87
g)	Postage	\$1.70
h)	Telephone	\$23.79
i)	Computer Research	\$649.61
j)	Travel Expense	\$4.56
DISBURSEMENT TOTAL		\$1,883.43

SECTION IV
CASE HISTORY

(NOTE: Items 3 - 6 are not applicable to applications under 11 U.S.C. § 506)

- (1) DATE CASE FILED: *July 2, 2012*
- (2) CHAPTER UNDER WHICH CASE WAS COMMENCED: *Chapter 7*
- (3) DATE OF RETENTION: *December 14, 2012, effective November 15, 2012*
LIMIT ON NUMBERS OF HOURS OR OTHER LIMITATIONS TO RETENTION: *None*
- (4) SUMMARIZE IN BRIEF THE BENEFITS TO THE ESTATE AND ATTACH SUPPLEMENTS AS NEEDED: *See attached application*

SECTION IV
CASE HISTORY, Continued

- (5) ANTICIPATED DISTRIBUTION TO CREDITORS:
 - (A) ADMINISTRATION EXPENSES: *N/A*
 - (B) SECURED CREDITORS: *N/A*
 - (C) PRIORITY CREDITORS: *N/A*
 - (D) GENERAL UNSECURED CREDITORS: *N/A*
- (6) FINAL DISPOSITION OF CASE AND PERCENTAGE OF DIVIDEND PAID TO CREDITOR (IF APPLICABLE): *Litigation settled.*

I certify under penalty of perjury that the foregoing is true and correct.

/s/ Jeffrey D. Vanacore August 14, 2014
JEFFREY D. VANACORE DATE

Local Form 3 -rev. 8/1/06.jml

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

AMY L. FANG,

Debtor.

Case No. 12-26863 (MBK)

Honorable Michael B. Kaplan

Chapter 7

**FIRST AND FINAL APPLICATION FOR ALLOWANCE OF
FEES AND EXPENSES TO COUNSEL TO CHAPTER 7 TRUSTEE**

TO: THE HONORABLE MICHAEL B. KAPLAN,
UNITED STATES BANKRUPTCY JUDGE

Perkins Coie LLP (“Perkins Coie”), special litigation counsel to John M. McDonnell, Chapter 7 Trustee (“Trustee”) to Amy L. Fang, the chapter 7 debtor (the “Debtor”), hereby files its First and Final Application for Allowance of Fees and Expenses, and respectfully states to the Court as follows:

INTRODUCTION

1. Your Applicant is an attorney-at-law of the State of New Jersey duly admitted to practice before this Honorable Court.
2. On July 2, 2012 (the “Petition Date”), the Debtor filed her voluntary petition for relief under chapter 7 of the Bankruptcy Code.
3. On July 11, 2012, John M. McDonnell, Esq. was appointed the Chapter 7 Trustee for the Debtor.
4. By Order dated December 14, 2012, Perkins Coie was retained as counsel to the Trustee, effective November 15, 2012. A copy of such Order is attached as **Exhibit A**.
5. Perkins Coie has made no prior application for an award of fees and expenses in

connection with this matter.

6. Perkins Coie hereby seeks a first and final allowance of fees for services performed for the benefit of the estate from November 15, 2012, through June 24, 2014, and reimbursement for actual out of pocket expenses made during such period of time.

7. Perkins Coie was engaged by the Trustee as special counsel to assist on matters where Perkins Coie has specific expertise, in particular litigation in a bankruptcy context and recovery of assets. In this regard, Perkins Coie performed a wide variety of legal services in connection with this matter including, but not limited to, the following:

- In conjunction with the Chapter 7 Trustee, reviewing and analyzing the Debtor's responses to the Trustee's requests to disclose various potential property of the estate, to provide certain information, and to cooperate with the Trustee.
- Engaging in informal negotiations regarding resolution of the various disputes between the Debtor and Trustee, but failing to initially reach a consensual agreement resolving the issues.
- On April 15, 2013, consulting with the Trustee and advising on the filing of an adversary proceeding on behalf of the Trustee against the Debtor seeking, among other things, to object to the Debtor's discharge.
- Developing strategies to prosecute the claims against Debtor and maximize the recovery for creditors.
- Engaging Debtor's counsel in good faith negotiations and ultimately reaching a global resolution to the Trustee's claims and other potential disputes, including the recovery of \$82,000 to the estate.
- Recovering the above referenced amount after timely payment was not made in accordance with the stipulation.
- Advising the Trustee with regard to the final report and related case closing issues.
- Preparing and filing the application to retain Perkins Coie as counsel to the Chapter 7 Trustee, including conflict checks.
- Preparing and filing Perkins Coie's first and final fee application.

Miscellaneous Legal Services

8. Perkins Coie also performed a variety of other legal services on the Trustee's behalf including, but not limited to, general telephone conversations and meetings with the Trustee and attorneys, preparation of correspondence, settlement agreements, applications, and other pleadings; and numerous other services necessary to assist the Trustee in effectuating his duties under Chapter 7 of the Bankruptcy Code.

9. All of the services rendered by Perkins Coie were necessary and of benefit to the within estate.

10. Annexed hereto as **Exhibit B** is a detailed itemization of the hours, rate and amount for each time entry for services performed by Perkins Coie from November 15, 2012, through July 24, 2014. As shown on Exhibit B, Perkins Coie has devoted in excess of 180 hours to this matter during such period of time having a value of \$81,882.95.

11. Annexed hereto as **Exhibit C** is a chart identifying Perkins Coie's out-of-pocket expenses in the amount of \$1,883.43.

12. Annexed hereto as **Exhibit D** is a Certification in accordance with § 504 of the Bankruptcy Code and 18 U.S.C. § 155.

WHEREFORE, Perkins Coie LLP respectfully requests that an order be entered granting it a first and final allowance for fees in the amount of \$81,882.95 plus reimbursement of out-of-pocket expenses in the amount of \$1,883.43, for a total award of \$83,766.38.

Dated: New York, New York.
August 14, 2014

Respectfully submitted,
PERKINS COIE LLP

By:/s/ Jeffrey D. Vanacore
Jeffrey D. Vanacore
30 Rockefeller Center, 22nd Floor
New York, NY 10112-0085
212.262.6900
Special Counsel to the Trustee,
John M. McDonnell